

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2009-162-E - ORDER NO. 2009-699
SEPTEMBER 29, 2009

IN RE: Melvin Bowens,)	ORDER DISMISSING
)	COMPLAINT
Complainant/Petitioner,)	
)	
vs.)	
)	
South Carolina Electric & Gas Company,)	
)	
Defendant/Respondent.)	

 This matter comes before the Public Service Commission of South Carolina (“Commission”) on the August 18, 2009 request filed by South Carolina Electric & Gas Company (“SCE&G” or the “Company”) to dismiss the complaint of Melvin Bowens (“Bowens” or “Complainant”). SCE&G requested dismissal of the complaint for failure of Bowens to prefile testimony in this case.

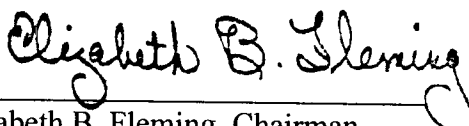
 The Commission addressed SCE&G’s August 18, 2009 request at its regularly scheduled Commission Meeting on August 26, 2009. At that time, the Commission denied SCE&G’s request for dismissal of Bowen’s complaint and issued Order No. 2009-619 on August 31, 2009, allocating Bowens a specified time to respond to SCE&G’s August 18, 2009 letter and to submit prefiled testimony as required. Order No. 2009-619 specified that Bowens should within ten (10) days after service of the Order file any response to SCE&G’s request for dismissal, including providing the parties and the Commission with his prefiled testimony. Further the Complainant was informed by

Order No. 2009-619 that failure to file any such response and testimony within the specified time could result in the complaint and case being dismissed.

To date, the Complainant has not filed any response or testimony to SCE&G's August 18, 2009 request. As Bowens has had ample opportunity to file a response to the request for dismissal, but has failed to do so, the Commission deems the request unopposed and grants the relief sought. Accordingly, the Complaint of Melvin Bowens against South Carolina Electric & Gas Company is hereby dismissed.

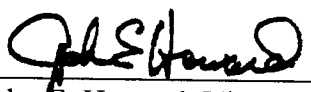
This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:



Elizabeth B. Fleming, Chairman

ATTEST:



John E. Howard, Vice Chairman
(SEAL)